

FILED

JUN 25 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

TANYA THOMPSON
a/k/a Tanya Whetzel

Criminal No. 19-
[UNDER SEAL]

(18 U.S.C. § 1343)

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

INDICTMENT

INTRODUCTION

The grand jury charges:

1. At all times material to this Indictment, Kmart was a nationwide retailer of, among other things, clothing, bedding, furniture and home décor.
2. At all times material to this Indictment, Kmart offered its customers the opportunity to become a Shop Your Way member, which was a rewards program that permitted members to earn points, and subsequent rewards, based on their spending.
3. At all times material to this Indictment, Shop Your Way members also received special coupons that could be redeemed on various purchases, depending upon the offer.
4. At all times material to this Indictment, Shop Your Way members could receive the coupons on their mobile devices.
5. At all times material to this Indictment, the mobile device coupons contained bar codes and were capable of being scanned by a cashier when checking out of a Kmart store.
6. At all times material to this Indictment, certain coupon bar codes, when scanned during checkout, prompted the cashiers to manually enter the coupon dollar amount as displayed on the coupon.

COUNTS 1-7

The grand jury further charges:

7. The allegations set forth in paragraphs 1 through 6 of this Indictment are incorporated herein as if set forth in full.

THE SCHEME AND ARTIFICE

8. From in and around June 2017, and continuing thereafter until in or around December 2017, in the Western District of Pennsylvania and elsewhere, the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, devised and intended to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, well knowing at the time that the pretenses, representations and promises were false and fraudulent when made.

9. It was part of the scheme and artifice to defraud that the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, created a Shop Your Way membership account ending in 1697 with Kmart.

10. It was further a part of the scheme and artifice to defraud that the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, obtained and used fraudulent Kmart mobile device coupons in varying amounts that far exceeded the dollar amounts of legitimate coupons.

11. It was further a part of the scheme and artifice to defraud that the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, did cause Kmart cashiers to scan the mobile device coupon bar codes and then manually enter the fraudulent coupon dollar amounts into the cash register to reduce the balance due on each transaction.

12. It was further a part of the scheme and artifice to defraud that the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, traveled to approximately twenty-five (25) states, and different Kmart stores within states, to avoid detection and further advance the scheme.

13. It was further a part of the scheme and artifice to defraud that the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, presented fraudulent coupons in such amounts and/or in such quantities as to make the ending balances on her purchases a nominal amount, with the overall loss to Kmart being approximately \$101,000.00.

14. It was further a part of the scheme and artifice to defraud that the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, often purchased, among other things, third party gift cards, including prepaid credit cards, at Kmart stores while utilizing fraudulent coupons.

THE WIRE COMMUNICATIONS

15. On or about the following dates, in the Western District of Pennsylvania, the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, for the purpose of executing and attempting to execute the scheme and artifice to defraud, did cause to be transmitted in interstate commerce, by means of a wire communication, certain signs, signals and sounds, that is, the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, did cause to be transmitted electronic signals, originating from the Western District of Pennsylvania and traveling to Troy, Michigan or Hoffman Estates, Illinois, among other states, to activate third party gift cards, including prepaid credit cards, that the Defendant, TANYA THOMPSON a/k/a Tanya Whetzel, purchased using fraudulent coupons at Kmart stores in the Western District of Pennsylvania, each such activation being a separate count of this Indictment:

Count	Date	Gift Card Dollar Amount	Card Account	Activation
1	06/27/2017	\$200.00	3240	Activation request initiated at point of sale in Western Pennsylvania and routed to a data center in Troy, Michigan

2	06/27/2017	\$200.00	0643	Activation request initiated at point of sale in Western Pennsylvania and routed to a data center in Troy, Michigan
3	06/27/2017	\$200.00	1846	Activation request initiated at point of sale in Western Pennsylvania and routed to a data center in Troy, Michigan
4	06/27/2017	\$200.00	1879	Activation request initiated at point of sale in Western Pennsylvania and routed to a data center in Troy, Michigan
5	06/27/2017	\$200.00	1853	Activation request initiated at point of sale in Western Pennsylvania and routed to a data center in Troy, Michigan
6	06/30/2017	\$200.00	0019	Activation request initiated at point of sale in Western Pennsylvania and routed to a data center in Hoffman Estates, Illinois
7	12/05/2017	\$100.00	8169	Activation request initiated at point of sale in Western Pennsylvania and routed to a data center in Hoffman Estates, Illinois

In violation of Title 18, United States Code, Section 1343.

A True Bill,


FOREPERSON


SCOTT W. BRADY
United States Attorney
PA ID NO 88352